**THE UNITED STATES DISTRICT COURT**
**FOR THE WESTERN DISTRICT OF NORTH CAROLINA**
**CHARLOTTE DIVISION**
**3:10-CV-16-GCM**

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|---|---|---|
| **EVANTHIA F. PAPPAS, MICHAEL R. DEAN,** | ) | |
| **Plaintiffs,** | ) | |
| **v.** | ) | **ORDER** |
| **UNITED STATES OF AMERICA** | ) | |
| **Defendant.** | ) | |

**THIS MATTER** is before the Court on Defendant's Motion to Dismiss. For the reasons stated in the July 29, 2010 hearing, Defendant's Motion to Dismiss pursuant to Rule 12(b)(1) is **DENIED**.

**SO ORDERED.**

Signed: July 30, 2010

Graham C. Mullen
United States District Judge